



Department of Justice

**United States Attorney Timothy M. Morrison
Southern District of Indiana**

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TWO MEXICAN NATIONALS CHARGED WITH ALIEN REENTRY IN SEPARATE CASES

PRESS RELEASE

INDIANAPOLIS - Jose Avilio-Balan, 40, and David Lopez-Arellano, 35, of Mexico, were both charged in separate indictments with reentry by an illegal alien who was previously convicted of an aggravated felony, announced Timothy M. Morrison, U.S. Attorney, Southern District of Indiana. These cases were investigated by the Immigration and Customs Enforcement, Department of Homeland Security.

The indictment against Avilio-Balan alleges that he was deported October 6, 2009, to Mexico from the United States after his conviction in 2004 for felony sexual battery from Marion County, Indiana. The indictment against Lopez-Arellano alleges that he was deported in 1998, and again in 1999, to Mexico after his conviction in San Bernardino, California, for dealing methamphetamine in 1996.

According to Assistant U.S. Attorney Gayle L. Helart, who is prosecuting the case for the government, each face a maximum of 20 years in prison and a \$250,000 fine. An initial hearing for each man will be scheduled before a U.S. Magistrate Judge.

An indictment is only a charge and is not evidence of guilt. A defendant is presumed innocent and is entitled to a fair trial at which the government must prove guilt beyond a reasonable doubt.

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